

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 103 of 2020

1. Khushi Ram S/o Kalapram Aged About 72 Years R/o Village Libra, Tahsil Gharghoda, District - Raigarh Chhattisgarh.
2. Uttam Lal S/o Late Dhuleshwar, Aged About 55 Years R/o Village Libra, Tahsil Gharghoda, District - Raigarh Chhattisgarh.

---- Applicants

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Mineral Resources Department, D. K. S. Bhawan, Mantralaya, Raipur Chhattisgarh.
2. Collector, Raigarh, District - Raigarh Chhattisgarh.
3. Sub Divisional Officer, Gharthora, District - Raigarh Chhattisgarh
4. Mining Officer, Office Of Collector (Minerals) Raigarh, District - Raigarh Chhattisgarh
5. Jindal Power And Steel Tamnar, District - Raigarh Chhattisgarh

---- Respondents

For applicants- Shri Rahul Agrawal, Advocate.

For State- Ms. Binu Sharma, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

05/02/2020

Heard.

1. Instant petition is for non-compliance of the initial order dated 16/07/2019 whereby Coal India Limited and subsequent allottee SECL were directed to be impleaded as a party respondent in these petitions and on that date it was directed that necessary amendment be carried out within a period of two weeks. Subsequently, when amendment was not carried out, the case was listed for default on 27/08/2019 wherein time was granted. Lastly on 24/09/2019 again time was sought for and on that date it was ordered that amendment be carried out within a week, failing which the petition shall stand dismissed without reference to the bench.

Subsequently, amendment since was not carried out, eventually dismissal order was passed.

2. It is contended that counsel for the petitioners was unable to contact the petitioners, as such amendment could not be carried out. It is stated that one chance may be given so that the petitioners may comply initial order dated 16/07/2019 and the delay may be condoned.

3. Considering the nature of the case, application for condonation of delay is allowed and delay in filing the MCC is condoned.

4. It is directed that the petitioners may further comply the order dated 16/07/2019 within a period of two weeks from today. The necessary amendment be carried out. Subject to such MCC stands allowed and WPC No.491/2012 stands restored to its original number.

Sd/-

(Goutam Bhaduri)

JUDGE